

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1757 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 5-10-8-13 IS ADDED TO THE INDIANA CODE
- 4 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2003]: **Sec. 13. (a) As used in this section, "covered individual"**
- 6 **means an individual who is entitled to coverage under an employee**
- 7 **health benefit plan.**
- 8 **(b) As used in this section, "employee health benefit plan"**
- 9 **means a group plan of self-insurance, policy, or contract that:**
- 10 **(1) provides coverage for prescription drugs; and**
- 11 **(2) is established, purchased, or entered into by an employer**
- 12 **for the benefit of the employer's employees.**
- 13 **(c) As used in this section, "employer" means the following:**
- 14 **(1) A public employer.**
- 15 **(2) A state educational institution (as defined in**
- 16 **IC 20-12-0.5-1).**
- 17 **(d) As used in this section, "mail order or Internet based**
- 18 **pharmacy" has the meaning set forth in IC 25-26-18-1.**
- 19 **(e) An employee health benefit plan that provides coverage for**
- 20 **prescription drugs may designate a mail order or an Internet based**
- 21 **pharmacy to provide prescription drugs to a covered individual.**
- 22 **(f) An employee health benefit plan may not require a covered**
- 23 **individual to obtain a prescription drug from a pharmacy**
- 24 **designated under subsection (e) as a condition of coverage.**

SECTION 2. IC 12-15-5-7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 7. (a) The office or a managed care organization that has a contract with the office under IC 12-15-12 may designate a mail order or an Internet based pharmacy (as defined in IC 25-26-18-1) to provide prescription drugs to a recipient.**

(b) The office or a managed care organization described in subsection (a) may not require a recipient to obtain a prescription drug from a pharmacy designated under subsection (a)."

Page 1, line 10, delete "IC 25-26;" and insert "**this article;**".

Page 4, between lines 26 and 27, begin a new paragraph and insert: "SECTION 4. IC 27-8-31 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

Chapter 31. Mail Order and Internet Pharmacy Designation

Sec. 1. As used in this chapter, "insurer" refers to an insurer (as defined in IC 27-1-2-3) that issues a policy of accident and sickness insurance.

Sec. 2. As used in this chapter, "insured" means an individual who is entitled to coverage under a policy of accident and sickness insurance.

Sec. 3. As used in this chapter, "mail order or Internet based pharmacy" has the meaning set forth in IC 25-26-18-1.

Sec. 4. As used in this chapter, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1.

Sec. 5. (a) An insurer that provides coverage for prescription drugs may designate a mail order or an Internet based pharmacy to provide prescription drugs to an insured.

(b) An insurer may not require an insured to obtain a prescription drug from a pharmacy designated under subsection (a) as a condition of coverage.

SECTION 5. IC 27-13-37.5 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

Chapter 37.5. Mail Order and Internet Pharmacy Designation

Sec. 1. As used in this chapter, "mail order or Internet based pharmacy" has the meaning set forth in IC 25-26-18-1.

Sec. 2. (a) A health maintenance organization may designate, under an individual contract or a group contract that provides coverage for prescription drugs, a mail order or an Internet based pharmacy to provide prescription drugs to an enrollee.

(b) A health maintenance organization may not require an enrollee to obtain a prescription drug from a pharmacy designated under subsection (a) as a condition of coverage.

SECTION 6. [EFFECTIVE JULY 1, 2003] **(a) IC 5-10-8-13, as added by this act, applies to an employee health benefit plan that is entered into, issued, delivered, amended, or renewed after June**

1 **30, 2003.**

2 **(b) IC 12-15-5-7, as added by this act, applies to a contract with**
3 **a managed care organization that is entered into, delivered,**
4 **amended, or renewed after June 30, 2003.**

5 **(c) IC 27-8-31, as added by this act, applies to a policy of**
6 **accident and sickness insurance that is issued, delivered, amended,**
7 **or renewed after June 30, 2003.**

8 **(d) IC 27-13-37.5, as added by this act, applies to an individual**
9 **contract or a group contract that is entered into, delivered,**
10 **amended, or renewed after June 30, 2003."**

11 Page 4, line 29, after "IC 25-26-19" insert ", as added by this act,".

12 Renumber all SECTIONS consecutively.

(Reference is to HB 1757 as printed February 20, 2003.)

Representative Klinker